

UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

FILED
 IN CLERK'S OFFICE
 U.S. DISTRICT COURT, E.D.N.Y.

JUL 20 2005 *

CHAIRMAN:
 Judge Wm. Terrell Hodges
 United States District Court
 Middle District of Florida

MEMBERS:
 Judge John F. Keenan
 United States District Court
 Southern District of New York

Judge D. Lowell Jensen
 United States District Court
 Northern District of California

Judge J. Frederick Motz
 United States District Court
 District of Maryland

Judge Robert L. Miller, Jr.
 United States District Court
 Northern District of Indiana

Judge Kathryn H. Vratil
 United States District Court
 District of Kansas

Judge David R. Hansen
 United States Court of Appeals
 Eighth Circuit

DIRECTOR, BROOKLYN OFFICE

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July 15, 2005

Robert C. Heinemann, Clerk
 130 United States Courthouse
 225 Cadman Plaza East
 Brooklyn, NY 11201-1818

Re: MDL-1596 -- In re Zyprexa Products Liability Litigation

(See Attached Schedule CTO-26)

Dear Mr. Heinemann:

I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on June 29, 2005. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

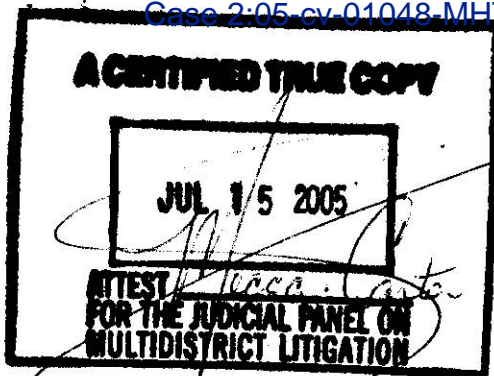
Michael J. Beck
 Clerk of the Panel

By

Mecca S. Carter
 Deputy Clerk

Attachment

cc: Transferee Judge: Judge Jack B. Weinstein
 Transferor Judges: (See Attached List of Judges)
 Transferor Clerks: (See Attached List of Clerks)



JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JUN 29 2005

FILED
CLERK'S OFFICE

DOCKET NO. 1596

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION
IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-26)

On April 14, 2004, the Panel transferred six civil actions to the United States District Court for the Eastern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 156 additional actions have been transferred to the Eastern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Jack B. Weinstein.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of New York and assigned to Judge Weinstein.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of New York for the reasons stated in the order of April 14, 2004, 314 F.Supp.2d 1380 (J.P.M.L. 2004), and, with the consent of that court, assigned to the Honorable Jack B. Weinstein.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of New York. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

JUL 15 2005

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:

Michael J. Beck

Michael J. Beck
Clerk of the Panel

SCHEDULE CTO-26 - TAG-ALONG ACTIONS
DOCKET NO. 1596
IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION

| <u>DIST. DIV. C.A. #</u> | <u>CASE CAPTION</u> |
|-----------------------------|--|
| ALABAMA NORTHERN | |
| ALN 5 05-1279 | Michael C. Kelley v. Eli Lilly & Co. |
| OHIO NORTHERN | |
| OHN 1 05-1635 | Carl Spratt, etc. v. Eli Lilly & Co. |
| PENNSYLVANIA EASTERN | |
| PAE 2 05-2696 | Roy L. Hayes, et al. v. Eli Lilly & Co., et al. |
| TEXAS SOUTHERN | |
| TXS 4 05-2046 | Carolyn A. Stevens v. Eli Lilly & Co., et al. Opposed 7/15/05 |
| TXS 4 05-2047 | Russell Craig v. Eli Lilly & Co. |
| TXS 4 05-2048 | Jerry A. Rodriguez v. Eli Lilly & Co., et al. Opposed 7/15/05 |
| TXS 4 05-2049 | George Nathan Pheneger v. Eli Lilly & Co. |
| TXS 4 05-2050 | Latishka C. Conley-Essel v. Eli Lilly & Co., et al. Opposed 7/15/05 |
| TXS 4 05-2051 | Shirley D. Manley v. Eli Lilly & Co., et al. Opposed 7/15/05 |
| TXS 4 05-2052 | Joshua E. Fleischer v. Eli Lilly & Co., et al. Opposed 7/15/05 |
| TXS 4 05-2053 | Brenda M. Teal v. Eli Lilly & Co., et al. Opposed 7/15/05 |
| TXS 4 05-2054 | Shirley A. Foretich v. Eli Lilly & Co. |
| TXS 4 05-2055 | Willie Harrell v. Eli Lilly & Co. |
| TXS 4 05-2056 | Cecilia M. Van v. Eli Lilly & Co., et al. Opposed 7/15/05 |
| TXS 4 05-2057 | Sandra D. Smith v. Eli Lilly & Co. |
| TXS 4 05-2058 | Dorothy L. Traylor v. Eli Lilly & Co., et al. Opposed 7/15/05 |
| TXS 4 05-2059 | Teresa Jackson v. Eli Lilly & Co. |
| TXS 4 05-2060 | Kathryn D. Blaylock v. Eli Lilly & Co., et al. Opposed 7/15/05 |
| TXS 4 05-2061 | Wanda L. Thomas v. Eli Lilly & Co., et al. Opposed 7/15/05 |
| TXS 4 05-2062 | Cynthia D. McDonald v. Eli Lilly & Co., et al. Opposed 7/15/05 |
| TXS 4 05-2123 | Gertie J. Markham v. Eli Lilly & Co., et al. Opposed 7/15/05 |
| TXS 4 05-2124 | Mary E. Davis v. Eli Lilly & Co. |

INVOLVED COUNSEL LIST (CTO-26)
DOCKET NO. 1596
IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION

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DOCKET NO. 1596
IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION

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~~United States District Judge~~
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515 Rusk Avenue
Houston, TX 77002

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319 Hugo L. Black U.S. Courthouse
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DOCKET NO. 1596
IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION

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